



**PATENT APPLICATION
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Serial No.: 09/775,425
Applicant: Lee A. Chase, Gregory R. Hauler & Eldean Weidmayer
Filed: February 1, 2001
Title: Vehicle Wheel and Overlay Assembly

TC/A.U.: 3617
Examiner: Russell Stormer

Docket No.: LII153B US

* * * * *

Affidavit under 37 C.F.R. § 1.132

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

Lee Alan Chase, declares as follows:

- (1) That I am a joint inventor of the subject matter covered by the claims in the above-identified application;
- (2) That I currently reside in 210 PARKWOOD DR SE GRAND RAPIDS MI, Michigan;
- (3) That I am, and at all time since 1992 have been employed by Lacks Industries, Inc. of Grand Rapids, Michigan, further known as Lacks Enterprises, Inc. ("Lacks");
- (4) That I am the sole inventor of the invention described and claimed in United States Provisional Patent Application Serial Number 60/084,378, filed May 6, 1998;

- (5) That I am a co-inventor of the inventions described and claimed in United States Non-Provisional Patent Application Number 09/785,425, filed February 1, 2001 which is a continuation of Non-Provisional Patent Application Number 09/304,734, filed May 4, 1999, now abandoned;
- (6) That Lacks Industries, Inc., a corporation organized under the laws of the State of Michigan and having its principal place of business at 5460 Cascade Road, S.E., Grand Rapids, Michigan 49546 is the assignee of the above-identified patent applications;
- (7) That I have been employed by Lacks Industries, Inc., the assignee of the above-identified pending patent applications since 1982;
- (8) That I was hired by Lacks Industries, Inc., as a process engineer and worked in that capacity for approximately one year. Thereafter, I worked in the capacity as Director of Engineering for approximately three years and subsequent thereto I was employed as Manager and Director of New Product Development;
- (9) That during the development phase of the invention set forth in the claims of the above-identified pending patent application, I gained knowledge of the Society of Automotive Engineering Standards J1986 entitled "Balance Weight and Rim Flange Design Specifications, Test Procedures, and Performance Characteristics" which was published in conjunction with the Tire and Rim Association publication originally in 1993 and revised in 2006, attached as Exhibit A;
- (10) That during the development phase of the invention set forth in the claims of the above-identified pending patent application, I gained knowledge of the Society of Automotive Engineering Standards J1982 entitled "Nomenclature-Wheels for Passenger Cars, Light Trucks, and Multipurpose Vehicles" which was published in conjunction with the Tire

and Rim Association publication originally in 1991 and revised in 1998, attached as Exhibit B;

- (11) That Figure 5 as originally submitted in the provisional patent application was a copy of the rim nomenclature as illustrated in J1982, Figure 1;
- (12) That all original equipment manufacturers strongly suggest that all Tier 1 vendors are expected, in the building of their automotive products, to follow current industry practice as dictated in the Society of Automotive Engineers (SAE) standards and terminology;
- (13) That SAE standards J1982 and J1986 are well known industry standards for automotive wheel manufacturers and followed by all manufacturers of wheels that provide wheels to the original equipment (OE) manufacturers of automobiles and trucks;
- (14) That within the past ten years a new type of wheel has been introduced into the U.S. market place. This wheel is commonly referred to as the euro flange wheel and is generally referred to by those skilled in the art of wheels as a flangeless wheel;
- (15) That the terminology “flangeless style or flangeless look” is well known in the wheel art and is commonly used to refer to euro flange wheels;
- (16) That in U.S. Provisional Patent Application Serial Number 60/084,378, at page 6, lines 15-24, the “euro” styled flangeless look is disclosed to have a rim flange with a minimal functional flange height, yet such wheel is commonly referred to as a flangeless rim wheel because a person skilled in the art knows that for a common rubber tire to stay on a rim of a wheel there must be a minimum functional flange height outboard of the bead seat radius to enable maintaining a tire mounted on the tire rim;
- (17) That that statement in paragraph 60 of the pending Non-Provisional Patent Application Serial Number 09/775,425 is correct in that a person skilled in the art will refer to the

embodiment of Figure 7 as a flangeless rim because such person skilled in the art is keenly aware that the euro style flangeless look or flangeless rim does indeed have the minimum functional flange rim height but at the same time, with reference to Figure 5 of the provisional application, the flange height G will be significantly shorter and the flange width B as well as flange radius R_2 and flange compound radius R_1 are eliminated and do not comply with "industry standard" rim flange specifications as published by the SAE;

(18) That, to this date the Society of Automotive Engineers has not published an "industry standard" for a euro style flangeless look with a minimum functional flange height as an industry standard. Until this publication is made, the above nomenclature is commonly used by persons skilled in the art of rim flanges for automotive wheels;

(19) Further affiant sayeth not.

Lee Alan Chase
Lee Alan Chase
7/10/07
Date

STATE OF MICHIGAN
COUNTY OF

Before me this 10th day of July, 2007, personally appeared Lee Alan Chase, to me known, and acknowledged that he executed the foregoing Affidavit under 37 CFR § 1.132 as his free act and deed.

Nicole D. Tatuc
Notary Public, County of Macomb

My Commission Expires:

November 13, 2011